

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 AF-10 ARA-16 EA-11 EUR-25 NEA-10 JUSE-00

HEW-08 SIL-01 LAB-06 DRC-01 /180 W

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P 160115Z JAN 74

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC PRIORITY 2314

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DEPT PASS JUSTICE - MAR EASTWOOD FOR ACTION

E.O. 11652: N/A

TAGS: SGEN, UN

SUBJ: UN COMMISSION ON STATUS OF WOMEN - WORKING GROUP

ON DRAFT INTERNATIONAL INSTRUMENT OR INSTRUMENTS

ON ELIMINATION OF DISCRIMINATION AGAINST WOMEN

1. SUMMARY: WORKING GROUP (WG) ESTABLISHED BY RES 5 (XXIV) OF THE COMMISSION ON THE STATUS OF WOMEN MET FOR 9 SESSIONS FROM MONDAY, JANUARY 7 TO FRIDAY, JANUARY 11. CONSISTENT WITH ITS MANDATE, THE WG CONCLUDED CONSIDERATION OF DRAFT CONVENTION ON ELIMINATION OF DI*CRIMINATION AGAINST WOMEN JANUARY 11. WG WILL MEET AGAIN JANUARY 16 TO APPROVE DRAFT BEFORE DISCUSSIONS IN FULL 32-MEMBER COMMISSION. REPORT WILL INCLUDE ARTICLES REACHED BY CONSENSUS, AS WELL AS AMENDMENTS AND OTHER DRAFT ARTICLES WHOSE FINAL TEXT WAS NOT AGREED UPON. END SUMMARY.

2. THE WG ESTABLISHED BY THE COMMISSION ON THE STATUS OF WOMEN TO BEGIN WORK ON A NEW DRAFT INSTRUMENT OR INSTRUMENTS OF INTERNATIONAL LAW FOR THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN MET JANUARY
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7-11. AT ITS SECOND MEETING, THE WG DECIDED THAT IT WOULD

BEGIN TO DRAFT A SINGLE COMPREHENSIVE INSTRUMENT, AND THAT INSTRUMENT WOULD BE A CONVENTION. DURING DEBATE LEADING UP TO THIS DECISION, US DEL SUGGESTED THAT SOME OF PRINCIPLES FOUND IN EXISTING CONVENTIONS ON SUBJECT WERE NOT CONSISTENT WITH CURRENT EXPERIENCE AND THOUGHT, AND, THEREFORE, WG SHOULD FIRST REVIEW PRINCIPLES EMBODIED EXISTING CONVENTIONS BEFORE NEW INSTRUMENT DRAFTED. HOWEVER, CLEAR VIEW OF MOST DELEGATIONS WAS TO PROCEED WITH DRAFTING SINGLE COMPREHENSIVE CONVENTION. US DEL ACTIVELY PARTICIPATED IN DISCUSSIONS AND DRAFTING THAT FOLLOWED.

3. DRAFT CONVENTIONS CIRCULATED SEPARATELY BY PHILIPPINE AND SOVIET DELS WERE SUBSEQUENTLY COMBINED INTO ONE WORKING PAPER. U.S. DELEGATION HAMPERED BY ABSENCE OF US DRAFT INSTRUMENT FROM WHICH TO NEGOTIATE.

4. WG CONSIDERED COMBINED DRAFT ARTICLE-BY-ARTICLE. DELEGATIONS PROPOSED AMENDMENTS, REVISIONS AND DELETIONS TO PORTIONS OF THE PHILIPPINE-SOVIET TEXT. SINCE WG DECIDED TO WORK BY CONSENSUS, AND SINCE THE SOVIET DELEGATION RARELY ACCEPTED CHANGES, MOST ARTICLES CONSIDERED BY WG WERE FINALLY FORMULATED AS TWO OR MORE UNAGREED TEXTS.

5. THE WG CONCLUDED ITS WORK FRIDAY WITH THE UNDERSTANDING THAT THE WG'S DRAFT REPORT WOULD REFER TO THE COMMISSION ALL THOSE TEXTS MAINTAINED BY A DELEGATION WITHOUT SPECIFYING THE DELEGATION WHICH HAD PROPOSED THE TEXT.

6. MAJOR DISAGREEMENTS RESULTED FROM OF FUNDAMENTALLY CONFLICTING POSITIONS HELD BY THE SOVIET AND US DELS. SOVIET DEL PROPOSED PROTECTED AND PRIVILEGED STATUS FOR WOMEN IN DRAFT ARTICLES CALLING FOR ESTABLISHMENT SPECIAL CONDITIONS, ADDITIONAL RIGHTS, SPECIAL MEASURES FOR PROTECTION OF "WOMEN AT CERTAIN BRANCHES OF WORK DUE TO THEIR PHYSICAL NATURE AND FOR THE PROTECTION OF MOTHERHOOD"; RESTRICTION WOMEN'S EMPLOYMENT IN HEAVY LABOR; TRANSFER WOMEN TO LIGHTER WORK DURING PREGNANCY; LOWER PENSIONABLE AGE FOR WOMEN; RESPONSIBILITY OF GOVERNMENT ALONE "TO ESTABLISH NECESSARY INSTITUTIONS LIMITED OFFICIAL USE

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FOR STATE PROTECTION OF MOTHERS AND CHILDREN; "SPECIALLY PRIVILEGED NATURALIZATION PROCEDURES" FOR WOMEN OF FOREIGN NATIONALITY MARRIED TO NATIONS OF COUNTRY; AND LACK OF DUE CONSIDERATION PRINCIPLES OF EQUALITY FOR MEN AND WOMEN.

7. US DEL ARGUED THAT WOMEN WORKERS SHOULD NOT BE ENTITLED TO SPECIAL PROTECTIVE MEASURES, THOUGH STATES

SHOULD PROVIDE OR ENCOURAGE PROVISION OF ADEQUATE MEASURES TO ENSURE EQUAL RIGHTS TO WOMEN WORKERS, ESPECIALLY DURING THE PERIOD IMMEDIATELY BEFORE AND AFTER, AND DURING, THEIR PREGNANCIES. CANADA, NIGERIA, ZAIRE, UK GENERALLY SUPPORTED US POSITION IN DEBATE. OTHER WG MEMBERS HELD INTERMEDIATE POSITIONS, ARGUING THAT SOME PROTECTIVE MEASURES WERE CALLED FOR IN THEIR RESPECTIVE STATES.

8. REPORT OF WORKING GROUP WILL BE CABLED TO DEPARTMENT AS SOON AS AVAILABLE, FOR COMMENT AND GUIDANCE.
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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
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Draft Date: 16 JAN 1974
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